

Amendment 155 Contract No. 229944

To the Contract for the Design, Implementation, Operation and Maintenance of the Regional Fare Coordination System

This Amendment 155 to the Contract for the Design, Implementation, Operation and Maintenance of the Regional Fare Coordination System is entered into this 2nd day of October, 2011, by and between ERG Transit Systems (USA) Inc, a California corporation and wholly owned subsidiary of Vix-ERG Limited, an Australian corporation, (hereinafter referred to as the "Contractor") and each of the following seven public transportation agencies (hereinafter referred to individually as an "Agency" or collectively as the "Agencies"):

1. Central Puget Sound Regional Transit Authority ("Sound Transit")
2. King County ("King County")
3. Kitsap County Public Transportation Benefit Area ("Kitsap Transit")
4. Pierce County Public Transportation Benefit Area ("Pierce Transit")
5. Snohomish County Public Transportation Benefit Area ("Community Transit")
6. City of Everett ("Everett")
7. State of Washington, acting through the Washington State Department of Transportation, Washington State Ferries Division ("WSF")

Recitals

- A. Effective April 29, 2003, each of the Agencies and the Contractor entered into Contract #229944 ("Contract") to implement a Regional Fare Coordination System ("RFC System") to establish a common fare system utilizing smart card technology. The Contractor is responsible for the development, implementation, operation and maintenance of the RFC System as specified in the Contract.
- B. The Agencies and the Contractor desire to amend Section VI of Exhibit 9, Price Schedule Special Programs, to compensate the Contractor for the work necessary to re-assign and commission four (4) King County Metro (KCM) buses to Pierce Transit (PT) in order for the buses to operate PT service, as more fully described in CR-002679 *ST KCM Buses Move to PT v4*.

- C. The Parties do not agree on the amount of compensation due for the work of said CR -002679. The Agencies are agreeable to paying the amount of compensation included in the Amendment which, for the purpose of administrative efficiency, includes the "per device" cost to commission an On Board Fare Transaction Processor found in the Contract Exhibit 9 Section IV Equipment Installation, Section A On Board FTP. The Contractor reserves its rights to claim the added compensation requested Contractor in CR -002679 that is not covered by this Amendment.

Agreement

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the sufficiency of which is hereby acknowledged, the Parties hereby agree to the above Recitals and the following:

Section 1.0 Description of Work

The Contractor will perform all work necessary to:

reconfigure the following buses for PT service and as more fully described in CR-002679:

- i. ST/KCM bus 9024 will become PT bus 8024
- ii. ST/KCM bus 9033 will become PT bus 8033
- iii. ST/KCM bus 9043 will become PT bus 8043
- iv. ST/KCM bus 9044 will become PT bus 8044

Section 2.0 Compensation Changes

Section VI of Exhibit 9, Price Schedule, is hereby amended to read as follows:

VI. IMPLEMENTATION

SPECIAL PROGRAMS

LUMP SUM COST

Amendment No. 155

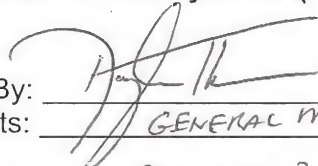
To perform the work necessary to:	
• Commission 4 OBFTP's @ \$72 each per Contract Exhibit 9 Section IV – A.	\$289
• Update software to transfer buses from KCM to PT operated service (8 hours x \$94.30 plus 10%)	<u>\$830</u>
TOTAL	\$1119

Section 3.0 Other Terms and Conditions


All other provisions of the Contract not referenced in this Amendment One Hundred and fifty-five shall remain in effect.

IN WITNESS WHEREOF, authorized representative of the Agencies and the Contractor have signed their names in the spaces provided below.

ERG Transit Systems (USA) Inc.

By: 
Its: GENERAL MANAGER
Date: OCTOBER 2, 2012

The Agencies

By: 
Their: Operations Manager
On behalf of the Agencies
Date: OCTOBER 2, 2012